Criminality and Policing in Stability and Support Operations

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IN HIS ARTICLE "Failed-State Operational Environment Concepts," published in the October 1997 issue of *Military Review*, Robert J. Bunker highlights the fact that American Army doctrine has long sought to address the "not war-not peace" environment characterizing many fragile states. He takes issue with certain contemporary paradigms concerning operations in such states, generally typified as operations other than war (OOTW) or stability and support operations (SASO), suggesting that the Army remains institutionally confined by Clausewitzian concepts and that a fundamentally new understanding is required.

To facilitate that understanding, he proposes an operational environment model that introduces a theme of war and crime as an addition to the more traditional ones. Some aspects of his new matrix deserve further explanation. For example, it is not immediately clear how crime within a state is different from that between states or why humanitarian aid should be included within the Clausewitzian cell of crime. However, the matrix focuses attention on the fact that "crime is a virtually overlooked environment in Army doctrinal thinking." It is this aspect of Bunker's argument that I will address.

Commentators such as Martin van Creveld argue that there is a link between war and crime; that soldiers may become criminals, criminals become soldiers, war become criminalized and shadow states thus exploit the resulting ambiguities. But an appreciation of the nuances of criminality—and the requirements of enforcement—is of more fundamental importance to today's Army than this suggests. Two points are suggested here. First, crime is an integral part of the operational environment now. Second, doctrine should recognize this truth because an awareness of crime is fundamental to understanding both the operational complexities contemporary military commanders must meet and the political considerations driving missions.

Both of these points can be illustrated by reference to the fact that, for domestic political reasons, Washington links the trade in light arms to the drug trade and transnational organized crime, thus categorizing it as a law enforcement issue.[1] Further, the

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fragile states in which SASO are likely to take place are already characterized by either an absence of civil order or the presence of a criminalized order the West considers undesirable. And both of these characteristics are conducive to a criminality likely to complicate the military task by reinforcing undesirable patterns of behavior—which may, in any case, be both stable and firmly supported by indigenous cultural norms.

The Army's failure to address the all-pervasive influence of crime in SASO is not surprising, for the service is, after all, professionally distinct in role and function from the police. Even when the Army assists in enforcing order, soldiers are required to hand back responsibility for maintaining that order to the police as soon as is practicable. We have only to think of the post-1945 Vienna of *The Third Man* and other novels to acknowledge that there is nothing new in suggesting that crime and alternative economies characterize postconflict situations. What has changed is the contemporary emphasis on SASO that requires the military to directly confront

the fragility of civil order in failed states without necessarily using combat-related skills. The parallel attention given by policy makers to "fighting" organized crime and gray-area phenomena emphasizes this development. The reasons for both trends are debatable, but their implications directly concern doctrinal thinking.

The Capability Gap

Bunker acknowledges that Army forces will confront criminal-soldiers in the shape of clans, private armies, guerrillas and drug cartels, but he does not address a further point which emphasizes the importance of policing imperatives in this environment. He says his new model more accurately reflects the "capability gap" that exists between police officers trained to fight crime and soldiers trained to wage war, but does not discuss how to close the gap, an essential aspect of rebalancing doctrine in the way he advocates.

Judging that no public institution can operate in this "not crime-not war" environment, Bunker implies that the services must therefore confront the issue because their presence in such an environment means that they will be forced to deal with it anyway. This assumption is central to the debate. The Army task in such states is essentially short term but will be aimed at bringing about an internationally accepted form of order or stabilization where no other effective organizations exist. The Army may thus have to restore order and assist other support forces, including the police, in repairing infrastructure and providing first-aid measures, even though it is not suited to the nonlethal crowd control, diffusion of tension and surveillance-related activities such a situation demands.

Bunker's claim was supported several weeks after the publication of his article by NATO Secretary-General Javier Solana, who recommended that a permanent police force or gendarmerie be set up to help manage "not war-not peace" crises such as Bosnia. Solana said that such a force could bolster efforts to restore civil order because experience in Bosnia revealed a gap between the ability of NATO's Stabilization Force (SFOR) to provide a secure environment and the law-and-order problems confronting domestic police forces. He judged that such situations present problems that are too difficult for an International Police Task Force (IPTF) to tackle but are not appropriate for the military. Indeed, his ideas may reflect US concerns about the future of NATO peacekeeping, for congressional opinion is clearly against a US ground-troop presence.

The debate that Solana's proposal signalled emphasizes the importance of both criminality and policing to contemporary thought on security. The debate has implications for the concept of failed-

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state operational environments because it highlights three general trends in SASO that doctrine must accommodate. First, it is clear that civilian authorities will continue to look to military forces for assistance in such situations. The military alone is seen to have the effective command and control, discipline, skills, transportation assets and "escalation-dominance" weapons that deter warring factions from confronting peacekeepers. Military resources appear flexible enough to provide a breathing space for stabilization measures, to verify disengagement and to assist the policing of civil order. Second, the environment of peace operations is invariably criminalized. The military will have to operate in an environment dominated by crime and the interests of local security agents and politicians. Third, and following from the first two, some form of policing activity by the military will be involved.

As Solana suggested, SASO invariably produce tasks that are inappropriate for the military but which fall to them by default. Rule-of-law programs form part of most SASO. The reasons why this should be so are varied, but the centrality of the military in most postconflict operations makes it all the more important that military doctrine address these issues.

Criminalized Environments

The reasons for the importance of rule-of-law programs are both political and practical—liberalization and democratization measures result from political imperatives and depend on certain forms of law and order. But this is not a straightforward process, least of all because the environment of SASO is invariably characterized by criminality,

either in terms of violations against physical security or possessions, or by an official extension of categories of criminal activity. Military activity in such a politicized environment cannot be understood

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in isolation; officers must be aware of the political consequences of their acts, just as they must be sensitive to the environment in which they act. A significant part of that environment is a continuum of crime, which ranges from individual looting, intimidation, revenge and murder in environments such as Bosnia, to organized forms of activity from car theft to gang warfare and terrorism. A comparison of Sarajevo and Mostar illustrates this. By 1996, Sarajevo had become a center for espionage, drug dealing, arms trafficking and gangland-style executions—such as that of the second in command of Bosnia's secret intelligence service. That such a murder may have been carried out by war criminals, gangsters, drug dealers, gun runners, the Bosnian government itself or by the Iranians suspected by the West of using Bosnia as a way of spreading Islamic radicalism in Europe indicated the type of order shaping the city. In contrast, the most common crime in Mostar (long a center for car smuggling) was car theft, followed by robbery, physical intimidation, explosions and shootings.[2]

It must be emphasized that responding to such activity is not a military task. Dealing with the criminal manifestations is properly part of the function and role of the police, rather than that of an external military, but it is one with which the military must come to terms because it is a defining characteristic of the environment in which it operates. Moreover, the conflict preceding peace operations—or frozen during it—may have been driven by a rational use of violence in pursuit of alternative systems of power and profit. The role of the military will thus reflect the limitations of policing. A further issue (which reinforces Bunker's general observation) is that SASO may operate in support of

regimes or institutions which are themselves influenced by transnational organized crime

Current Trends in Criminality. The military cannot address criminality as such. Neither, for that matter, is domestic policing likely to respond dramatically to ordinary crime following civil wars because it is not a priority. The black marketeering essential for survival (and prosperity) is fertile ground for organized crime, but it is unlikely that local forces will confront the criminals exploiting it. In any case, local security forces are usually part of the problem of failed states.

So what are the main trends in criminality? Crimes that attract international attention tend to be committed by criminals who may be violent gangsters or members of organized criminal structures, with particular strengths and territories, operating behind legitimate facades. As such they are difficult to address (nationally and internationally) in postconflict situations. Narcotics, illegal weapons, contract killings, smuggling, money laundering, counterfeiting, fraud and ordinary theft increase in such circumstances, and they may represent either an accepted strategy or part of an alternative regime. Certainly the laundering of drug money is becoming more professional and internationalized. Transnational organized crime is now seen as an international problem for which military resources may, however, be appropriate; the language used to refer to "the fight" against such crime is itself militarized.

In addition, there is no reason why SASO should remain immune to criminal pressures. Indeed, UN assistance operations, for example, are often themselves an economically disruptive and destabilizing influence. Millions of dollars of international aid sent to Bosnia to finance reconstruction cannot be traced, and inadequate training and poor disciplinary standards in certain UN units has led to illegal trading, bribery and corruption, as well as to reduced levels of operational efficiency. In Bosnia investigations have centered on allegations of black market profiteering, prostitution and drug dealing by Ukrainian, Nigerian and Kenyan soldiers, and by Russian peacekeepers who were heavily involved in illegal rackets and allegedly diverted UN fuel supplies to Serb forces.[3]

Organized Crime. The complexity of the SASO environment is emphasized by the situation in Bosnia, where "warlords" who once ran notorious prison camps are now involved in drugs, prostitution and protection rackets. The local police are not in a position to enforce Anglo-American ideals of

Soldiers control crowd during Operation
Restore Democracy, September 1994.

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impartial policing, and training links to liberal democracies are of limited value when many police officers remain involved in intimidation and violence. A high-profile example linking crime and the police (and military special forces) occurred when Simo Drljaca, the former police chief of Prijedor in northwest Bosnia, who had been secretly indicted for crimes against Muslims in a notorious detention center, was shot by the British SAS. Drljaca had used his office and the guns at his disposal to build a small business empire from protection rackets and violent extortion. He had been removed from his police post in 1996 but continued to run Prijedor. When Czech soldiers from the NATO-led SFOR peacekeeping force tried to search his car for weapons earlier in the year, he opened fire with a machinegun. The Czechs responded by firing into the air but backed down when Drljaca called for reinforcements. The case of Drljaca is not typical, but it underscores peacekeeping operations cannot avoid dealing with criminals since criminal activity will define the environment in which the military, civil police and local civilian police forces must act.

Policing Requirements of SASO. SASO in a criminalized environment present special politically sensitive problems that demand an awareness of policing requirements rather than policing as such. The emphasis must be on liaison and understanding (perhaps though the use of civil affairs units), rather than policing techniques, which demand local knowledge to be truly effective. This article is not the place to debate the form international policing should take, but it is important to note that military assistance can never be more than a short-term combat-related activity, and its expansion to cover specific police tasks is inappropriate. There may be certain limited policing requirements involving some aspects of crowd control, patrols, public safety or intelligence imposed on SASO forces, but the military cannot fulfill specific police functions or roles.

The introduction of a paramilitary civil police along the lines NATO is considering may not necessarily clarify the position of SASO to policing. Although peacekeeping requires different operating principles than those of combat missions, the boundaries of the categorizations may blur, particularly

when local police forces are to be restrained or arrested. A case in point resulted from the SFOR statement issued in August 1997 that the Bosnian Serb special police must disband or face arrest. The SFOR commander's announcement was treated as

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a significant policy shift at the time, but in November more than 50 Danish troops, backed by 200 Finnish, Swedish and Polish troops, stripped 66 Serb police officers of their badges, weapons, ammunition, vehicles, radio equipment and records.[4] NATO officials said the move was prompted by the Serbs' failure to explain a clash between the police and a rival political faction.

Contemporary SASO

The political requirements of such operations dictate that contemporary SASO have an expanded scope, cannot always have unambiguous and achievable military objectives and lack clear strategic direction. They rely on limited intelligence, are often characterized by political and cultural diversity, involve coordination of multiple actors (many of whom do not want to be coordinated) and are closely watched by the media. This results in SASO typically taking place in states with a limited rule of law at the same time constrictive rules of engagement are imposed. In addition, the operations are often performed by small and independent units, demand a visible presence, are set in primarily built-up or urban areas, require close coordination with civilians and typically require extensive negotiating abilities from all ranks.[5] The result is that SASO often rely on military resources and nonmilitary skills.

Nonmilitary skills will not be specifically police ones in the sense of regulatory or investigatory activities so much as more general and wide-ranging interpersonal skills useful in interviews and negotiations. The competencies required of peacekeepers, for instance, have been described in a recent Canadian work as *combat and contact skills*.[6] Combat experiences are taken as situations in which there is a physical threat, such as being a target for rocks thrown, held at gunpoint or forcibly restrained, a weapons discharge or an internal security operation such as conducting cordon and search operations. In contrast, contact experiences involve interpersonal skills that enhance interagency cooperation, liaison and negotiating with civilian police, interpreters, the media and local civilians. None of these are specifically police skills, but they will be exercised in a criminalized environment in which the local police may play (covertly or overtly) a significant part. The precise form of their use will depend on specific circumstances, but the robustness of state police systems means that units involved in peace support operations should be aware of the strengths and self-interest of police systems. Bosnian Serb special police, for instance, remain key levers of power in the Balkans, as was recognized by SFOR's seizure of their station in Doboj in November 1997.

SASO do not occur in a security vacuum, and soldiers must be as aware of the imperatives of criminality and policing as they are of politics because operations in states such as Bosnia, Haiti and Somalia show that politics will shape, and be shaped by, criminality. Doctrine writers should consider that tactics of attrition and maneuver are unlikely to work against crime that often lacks a clear center of gravity. Bunker may be premature in describing contemporary warfare as "societal warfare," but he is surely right in directing our attention to an important capability—and doctrinal—gap. **MR**

NOTES

1. See IISS, *Strategic Comments*, vol. 4, no. 2, March 1998.
2. *Police Review*, 9 February 1996.
3. Mats R. Berdal, *Whither UN Peacekeeping?* Adelphi 281 (Brassey's for IISS, 1993), 46-47.
4. *International Herald Tribune*, 12 November 1997.
5. See J. Michael Hardesty and Jason D. Ellis, *Training for Peace Operations: The U.S. Army Adapts to the post-Cold War World*, Peaceworks 12 (Washington DC: United States Institute of Peace, 1997).
6. David Last and Ken Eyre, "Combat and Contact Skills in Peacekeeping: Surveying Recent Canadian Experience in UNPROFOR," *Peacekeeping & International Relations* (July/October 1997), 8-9.

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